

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 06 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 479.
Last assessed to: Blythe Jojoba Plantations, Ltd., a Colorado Partnership.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from Global Discoveries, Ltd., assignee for Blythe Jojoba Plantations, Inc. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 812320006-0;
- 2) Deny the claim, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

BACKGROUND: (Continued on page two)

Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010-11

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
BY:
Christopher M. Hans

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: September 14, 2010
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: **District:** 4 **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.37

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 7/6/10
DATE: 7/6/10
Departmental Concurrence

Policy
 Consent
 Policy
 Consent
 Dept't Recomm.:
 Per Exec. Ofc.:

BOARD OF SUPERVISORS

Form 11:

Page 2

BACKGROUND: (Continued)

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the March 13, 2006 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2006. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 5, 2006, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., assignee for Blythe Jojoba Plantations, Inc. based on an Assignment of Right to Collect Excess Proceeds dated April 30, 2007 and a Corporation Grant Deed recorded November 13, 1991 as Instrument No. 393702.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Blythe Jojoba Plantations, Inc. be denied since at the time the claim was filed and at all relevant times since the corporation was dissolved which deprives it of all rights, privileges, and powers and it has no right or authority to file an administrative claim for the excess proceeds. Since there are no other claimants the excess proceeds in the amount of \$7,297.29 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.



GLOBAL DISCOVERIES, LTD.

1120 13th Street, Suite A, Modesto, CA 95354

Phone (209) 593-3900 or (800) 370-0372 • Fax (209) 549-9299 • www.globaldiscoveries.com

CLAIM SUMMARY

To: Riverside County Treasurer and Tax Collector

Assessors Parcel Number: 812320006-0

Last Assessee: Blythe Jojoba Plantations, Inc.

Sale Date: 03/13/2006

Tax Sale Number: TC 176

Item Number: 479

Default Number: 2000-812320006-0000

Deadline Date: 05/3/2007

RECEIVED
 07 MAY - 3 PM 5:43
 RIVERSIDE COUNTY
 TREASURER/TAX COLLECTOR

Dear Treasurer/Tax Collector:

1. Claimant(s): Global Discoveries, Ltd.

The following proof of claim(s) for excess proceeds and documents are attached:

1. Corporation Grant Deed granting interest to Blythe JoJoba Plantations, Inc., as Document # 3933702, Recorded 11/13/1991.
2. Colorado Corporate Records showing Charles Toepfer as Director
3. Assignment of Excess Proceeds signed by Charles Toepfer, Director of Blythe JoJoba Plantations, Inc.
4. Claim Form(s) signed by Global Discoveries
5. Photocopies of Assignor(s) identification will be furnished upon request

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

- One warrant in the amount of \$7,297.29 or 100% of the claimant's share of the excess proceeds made payable to Global Discoveries, Ltd. and mailed to P.O. Box 1748, Modesto, California 95353-1748.

Please address questions regarding the attached claim(s) to Jed Byerly, Chief Operating Officer, at (209) 593-3913, or e-mail to jed@globaldiscoveries.com.



RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME Blythe JoJoba Plantations, Inc.
ADDRESS 5777 South Rapp Street
CITY & STATE ZIP Littleton, Colorado 80120

393702

RECEIVED FOR RECORD AT 11:00 O'CLOCK A.M.

NOV 13 1991

Notary Public, California
My Comm. Expires Mar 1, 1992

Title Order No. Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Grant Deed

The undersigned declares that the documentary transfer tax is \$ N.A. and is

- computed on the full value of the interest or property conveyed, or is
- computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in
- unincorporated area city of _____ and County of Riverside

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, U.S. Agri Development Corporation

a corporation organized under the laws of the State of Nevada hereby GRANT(S) to

Blythe JoJoba Plantations, Inc.

the following described real property in the County of Riverside state of California:

The Southeast quarter of Section 27, Township 5 South, Range 22 East of the San Bernardino Meridian, California, containing 160 acres.

Excepting therefrom a certain strip of land lying and being in Section 27, Township 5 South, Range 22 East, San Bernardino Meridian, having a uniform width of 100 feet, 50 feet thereof being and lying on each side of that certain line of the main tract of the California Southern Railroad as such tract is now located across said property. Said center line being more particularly described as follows:

Beginning at Station 638 plus 23 execution of the California Southern Railroad Survey which point is on the west line of said Subdivision 305 feet from the Southwest corner thereof being 1.19 acres.

Excepting all oil, gas, hydrocarbon substances and minerals lying in or under said land.

U.S. Agri Development Corp.

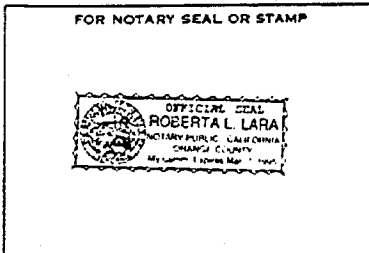
Dated May 13, 1991

BY: Eugene C. Pace, President

STATE OF ORANGE SS
COUNTY OF ORANGE
On this the 13th day of May 1991
before me, the undersigned, a Notary Public in and for said County and State, personally appeared EUGENE C. PACE

personally known to me or proved to me on the basis of satisfactory evidence to be the President, and personally known to me or proved to me on the basis of satisfactory evidence to be the Secretary of the corporation that executed the within instrument, personally known to me or proved to me on the basis of satisfactory evidence to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors

Roberta L. Lara
Signature of Notary



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name Street Address City & State

CAL-2 (Rev 9-82)

NOV 13 1991

NOV 13 1991

AutoTrackXP Corporate Records

Details of: COLORADO CORPORATE RECORDS

COLORADO CORPORATE RECORDS

Name: **BLYTHE JOJOBA PLANTATION, INC.**
Type: **DOMESTIC PROFIT**
Status: **INACTIVE - DISSOLVED**
Date Incorporated: **04/19/1991**
Corporation Number: **19911027543** FEI Number:

Corporation Officers and Registered Agents:

CHESTEEN GEORGE V	NAME (REGISTERED AGENT)	5500 S SYCAMORE ST LITTLETON CO 80120
COLE ROBERT	DIRECTOR	4063 BIRCH ST #230 NEWPORT BEACH CA 92660
FAINTER JIM	DIRECTOR	5777 S RAPP ST LITTLETON CO 80120
TOEPFER CHARLES	DIRECTOR	53 GRACELAND DR SAN RAFAEL CA 94901

Additional Corporation Information:

Stock Issued: **0**
Stock Authorized: **1,000**
Par Value: **\$0.0100**
Stock Class: **COMMON**
Duration: **PERPETUAL**

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to GLOBAL DISCOVERIES, LTD. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 812320006-0, Tax Sale Number TC 176, Item 479 sold at public auction on 03/13/2006. I understand that the total of excess proceeds available for refund is \$ 7,297.29+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VALUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

Charles B. Toepfer
(Signature of Party of Interest/Assignor) (Date)

Charles Toepfer, Director of Blythe JoJoba Plantations, Inc.
(Name Printed)

Tax ID/SS# _____

2400 Bruins Circle
(Address)

Boise, ID 83704
(City/State/Zip)

STATE OF Idaho)ss.
COUNTY OF Ada)

208-322-6998
(Area Code/Telephone Number)

On April 30th 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles B. Toepfer known to me (or proven to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal
Melvin Cornell
(Signature of Notary)
exp 2/11/11



(area for official seal)

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

Jed Byerly
(Signature of Assignee)

Jed Byerly, Chief Operating Officer
(Name Printed)

Tax ID/SS# 77-0558969

Global Discoveries, Ltd.
(Address)

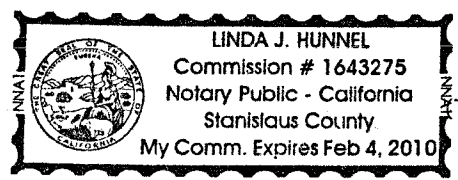
STATE OF CALIFORNIA)ss.
COUNTY OF Stanislaus)

P.O. Box 1748
Modesto, California 95353-1748
(City/State/Zip)

Phone: (209) 593-3913

On May 3, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared ***Jed Byerly*** known to me (or proven to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.
Linda J. Hunnel
(Signature of Notary)



(This area for official seal)

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 812320006-0
Tax Sale Number: TC 176
Item Number: 479
Default Number: 2000-812320006-0000
Date of Sale: 03/13/2006

The undersigned claimant, Global Discoveries, Ltd., claims \$7,297.29+/- or 100% of the claimant's share of the actual amount of excess proceeds from the sale of the property referenced above.

Global Discoveries, Ltd., claims its status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code based upon the attached documentation:

Please refer to Claim Summary and attached Documents

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 3rd day of May, 2007 at Modesto, California.

By: [Signature]
Jed Byerly, Chief Operating Officer
Global Discoveries, Ltd. Tax ID # 77-0558969
P.O. Box 1748
Modesto, CA 95353-1748
(209) 593-3913

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of California)

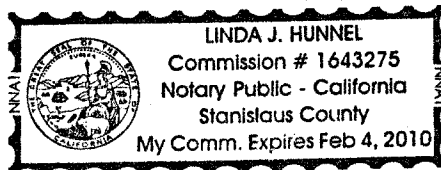
County of Stanislaus)

On May 3, 2007 before me, Linda J Hunnel, Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Jed Byerly, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature] (seal)
Signature of Notary Public



Taylor, Desiree

From: Taylor, Desiree
Sent: Monday, July 28, 2008 1:26 PM
To: 'amy.elmer@gd-ltd.com'
Subject: EP176 Item479

Amy,

I am going to need the following documents to complete your claim.

- 1. Articles of Incorporation***
- 2. Statement of Domestic Stock***
- 3. Notarized letter stating that Charles Toepfer can collect on behalf of Blythe Jojoba Plantations***

The deadline for these documents is August 29, 2008.

Thank you,

Desiree D. Taylor

County of Riverside Treasurer-Tax Collector
Tax Enforcement Unit
951-955-3842 (phone)
951-955-3990 (fax)
Mail Stop #1110
ddtaylor@co.riverside.ca.us
<http://www.countytreasurer.org>

Taylor, Desiree

From: Taylor, Desiree
Sent: Monday, July 28, 2008 1:28 PM
To: 'amy.elmer@gd-ltd.com'
Subject: EP176 Item479

Amy,

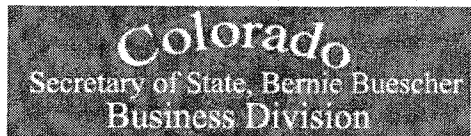
I am also going to need the deed which placed them on title. The deed send into the office was incorrect.

Thank you,

Desiree D. Taylor

County of Riverside Treasurer-Tax Collector
Tax Enforcement Unit
951-955-3842 (phone)
951-955-3990 (fax)
Mail Stop #1110
ddtaylor@co.riverside.ca.us
<http://www.countytreasurer.org>

7/28/2008



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Summary

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ID Number: 19911027543
 Name: BLYTHE JOJOBA PLANTATION, INC., Dissolved May 1, 1997

[FAQs, Glossary and Information](#)

Registered Agent: GEORGE V. CHESTEEN
 Registered Agent Street Address: 5500 S SYCAMORE ST, LITTLETON, CO 80120, United States
 Registered Agent Mailing Address:

Principal Street Address:
 Principal Mailing Address:

Status: Administratively Dissolved
 Form: Corporation
 Jurisdiction: Colorado
 Formation Date: 04/19/1991
 Term of Duration: Perpetual
 Annual Report Month: April

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